

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) Criminal No. 18-150(1) (DWF/HB)
v. Plaintiff,)
MICHAEL HARI,) DEFENDANT'S MOTION TO
(n/k/a Emily Claire Hari)) CONTINUE SENTENCING OR FOR
Defendant.) A RECOMMENDATION TO
) ATTEND MEDICAL
) APPOINTMENTS

Emily Claire Hari, through undersigned counsel, hereby moves the Court for an Order (1) continuing her sentencing proceedings until the first week of October or as soon thereafter as feasible, or, in the alternative, (2) recommending that Ms. Hari not be transported from the Sherburne County Jail by the U.S. Marshals until she has attended both of her medical appointments scheduled for September 2021: one appointment for hormone replacement therapy to treat her gender dysphoria and the other for a life-threatening allergy. The grounds for this motion are as follows:

On December 27, 2020, Ms. Hari disclosed her gender dysphoria to Sherburne County Jail Sergeant Chris Hanson and requested that she be moved to female housing and provided with hormone replacement therapy. Ms. Hari filed the appropriate Prisoner Medical Request (PMR), which was sent to the Medical Management Branch of the U.S. Marshals. It could not be granted nor denied by the U.S. Marshals in the District of Minnesota. Thus, as with any U.S. Marshal inmate, Ms. Hari's treatment was contingent on national approval after review by a nurse, doctor or specialist at the Medical

Management Branch (“MMB”). On February 18, 2021, her request for hormone therapy treatment was deferred for three months. And it was later deferred again.

The MMB has finally approved Ms. Hari’s consultation and evaluation for hormone replacement therapy for gender dysphoria. After nine months of waiting, the appointment has been scheduled for later this month, September 2021.

Additionally, Ms. Hari has been suffering from a significant allergy that causes swelling in her throat and the closing of her airways. She has been approved for an appointment with an allergy doctor by the MMB and is scheduled to attend the appointment for allergy testing this month, September 2021. Jail records reflect that Ms. Hari has been experienced allergic reactions and has been requesting allergy testing since the summer of 2018 and would like to stay in the District of Minnesota for this appointment in hopes of finally receiving an answer as to what causes these life-threatening reactions.

Ms. Hari is concerned that if she is not able to attend these two medical appointments, that she will have to start over with the process again in the District of Illinois. She is also hoping for a prescription to begin hormone replacement therapy and a diagnosis for her allergy now, even if medications cannot be filled until she is in the District of Illinois.

Ms. Hari has been waiting nine months for hormone replacement therapy and over two years for an allergy specialist. At her request, Counsel is respectfully asking the Court to consider either moving her sentencing hearing to the beginning of October or to issue an Order and Recommendation that the U.S. Marshals keep Ms. Hari in the District of Minnesota until these two medical appointments have been completed.

Dated: September 8, 2021

Respectfully submitted,

s/ Shannon Elkins

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